



Hon. Sylvia O. Hinds-Radix  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

Thomas J. Rizzuti  
Senior Counsel  
Administrative Law Division  
Telephone: (212) 356-2325  
Facsimile: (212) 356-2059  
[TRizzuti@law.nyc.gov](mailto:TRizzuti@law.nyc.gov)

December 7, 2022

**BY ECF**

Hon. Valerie Figueredo  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street, Room 1660  
New York, New York 10007

Re: Knight v. City of N.Y.,  
Ind. No. 22-cv-3215 (VEC) (VF)

Dear Judge Figueredo:

I am an Assistant Corporation Counsel in the office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, counsel for Defendants City of New York (“the City”) and Keechant Sewell, in her capacity as Commissioner of the NYPD, in the above-referenced action. I submit this letter in response to Your Honor’s order dated December 1, 2022, directing Defendants to “address why Mr. Knight does not have standing to challenge the City’s licensing scheme if, as he claims, it would have been futile for him to apply for such a license.”

Upon review of the Court’s orders and the filings herein, the City respectfully partially withdraws its motion to dismiss to the extent that it withdraws its argument that the Court lacks jurisdiction to entertain Plaintiff’s facial challenge to the gun dealer licensing regulation 38 RCNY § 4-03(t)(3) (requiring gun dealer license applicants to possess a Certificate of Occupancy for a premises zoned for a gun dealers business).

Respectfully submitted,

*Thomas J. Rizzuti /s/*

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